

## **DECLARATION OF ALEXA VAN BRUNT**

1. I am an attorney and a member in good standing of the bar of the State of Illinois. I submit this declaration in support of the fee petition filed by Plaintiffs' counsel in *Barnes v. Jeffreys*, 20-cv-2137.

2. I am the Director of the Illinois Office of the MacArthur Justice Center, a national civil rights litigation non-profit organization. I am also the Director of the Civil Rights Litigation Clinic at Northwestern Pritzker School of Law.

3. I have been practicing law for 13 years. I received a JD with honors from Stanford Law School in 2009. I thereafter clerked for the Honorable Myron H. Thompson of the United States District Court for the Middle District of Alabama. I joined the MacArthur Justice Center in 2010 and have been practicing in Illinois since that time.

4. During my career, I have focused my practice on civil rights and criminal legal system reform, including parole reform. I have litigated a series of federal class action suits pursuant to 42 U.S.C. § 1983, challenging unconstitutional mandatory supervised release (MSR) revocation proceedings in Illinois, including *Morales v. Montreal*, No. 13-cv-7572 (N.D. Ill.); *M.H. v. Montreal*, No. 12-cv-8523 (N.D. Ill.); and *King v. Walker*, No. 06-cv-204 (N.D. Ill.). All three suits were successfully resolved. *M.H. v. Montreal* resulted in a consent decree requiring procedural protections, including the appointment of State-funded counsel, for all youth detained on an alleged MSR violation and facing revocation while in the custody of the Department of Juvenile Justice. *Morales v. Montreal* resulted in a settlement agreement mandating procedural protections for all adults detained on an alleged MSR violation and facing revocation while in the custody of the

Department of Corrections (IDOC). These protections included the appointment of State-funded counsel in accordance with the requirements of *Gagnon v. Scarpelli*, 411 U.S. 778 (1973). *King v. Walker* resulted in an amended consent decree that ensured procedural protections for people on MSR who were in Cook County.

5. The MacArthur Justice Center continues to monitor the constitutionality of MSR revocation proceedings in Illinois.

6. As a result of my parole reform experience, I am personally familiar with the legal work of Plaintiffs' counsel, Adele Nicholas and Mark Weinberg, representing people convicted of sex offenses in the State of Illinois. I can attest that they have successfully litigated more than a dozen constitutional challenges to state and official policies and procedures governing the treatment of people convicted of such offenses, including policies preventing their successful re-entry upon being released from incarceration. These include lawsuits, like the instant case, challenging housing restrictions for people who must register as sex offenders upon their release.

7. Adele Nicholas and Mark Weinberg are considered experts in the field of sex offense law and policy reform by civil practitioners in Chicago and throughout Illinois. They are leading advocates on issues concerning the constitutional rights of people who are on MSR and, particularly, of those on MSR who must register as sex offenders. They provide guidance to other civil rights practitioners and criminal defense attorneys who represent people on MSR in Illinois. My colleagues and I at the MacArthur Justice Center regularly consult with both attorneys on constitutional and state law legal matters relating to MSR.

8. It is my understanding that Adele Nicholas has requested \$400 per hour for her work successfully litigating the instant case, and Mark Weinberg has requested \$450 per hour for his work successfully litigating this matter. Both rates are commensurate with, and likely lower than, the rates of other attorneys in the Chicago-area who have received fee awards for successfully litigating civil rights class actions. The rates are entirely reasonable given counsel's length of practice and successful litigation record in an area of law that requires specific expertise and knowledge.

I declare under penalty of perjury that the above statements are true and correct.

Date: November 16, 2022

/s/ Alexa Van Brunt

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